

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5450 of 2017

K.Batharsaman

..Petitioner

Vs

1. The Government of Tamilnadu,
rep. By its Secretary,
Department of Agriculture,
Fort St.George,
Chennai - 600 009.
2. The Director of Agriculture,
Department of Agriculture,
Chepauk,
Chennai - 600 005.
3. The Joint Director,
Department of Agriculture,
Nagercoil,
Kanyakumari District. .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to consider and pass orders on the petitioner's representation dated 22.09.2015 with regard to retrospective regularisation in the light of the judgment dated 15.10.2012 passed in W.P.(MD)Nos.6526, 6529 and 6531 of 2007by this Honourable Court within stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.M.Ramdass

For Respondents : Mr.R.A.S.Senthilvel,
Additional Government
Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.R.A.S.Senthilvel, learned Additional Government Pleader accepts notice on behalf of the respondents.

wage basis by the proceedings of the Deputy Director, Department of Agriculture, Nagercoil, dated 12.02.1981 in the office of Rajakkamangalam Agriculture Depot, Pazhavillai.. By proceedings of the same officer, the service of the petitioner was regularised with effect from 22.12.2006 and the same is in violation of G.O.Ms.No.78 Agriculture (Ve.Ni.4) Department dated 25.04.2011. The petitioner retired from service on 31.03.2014. According to the petitioner, he is entitled for regularisation from the date of his initial appointment. In this regard, he has submitted a representation dated 22.09.2015. In spite of receipt and acknowledgment, so far no orders have been passed. Hence, he came forward to file this writ petition.

3. Heard the submission of the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Learned counsel for the petitioner would submit that in respect of the persons similarly placed, this Court has passed an order on 15.10.2012 in W.P.(MD).Nos.6526, 6529 and 6531 of 2007 (R.Lingappan & 2 others vs. The Government of Tamilnadu, rep. By tis Secretary, Department of Agriculture, Fort St.George, Chennai-9 and 2 others) and prays for appropriate orders.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner directs the respondents 1 to 3 to consider and dispose of the petitioner's representation dated 22.09.2015 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

vsi

To

1. The Secretary,

Government of Tamilnadu,
Department of Agriculture,
Fort St.George,
Chennai - 600 009.

2. The Director of Agriculture,
Department of Agriculture,
Chepauk,
Chennai - 600 005.

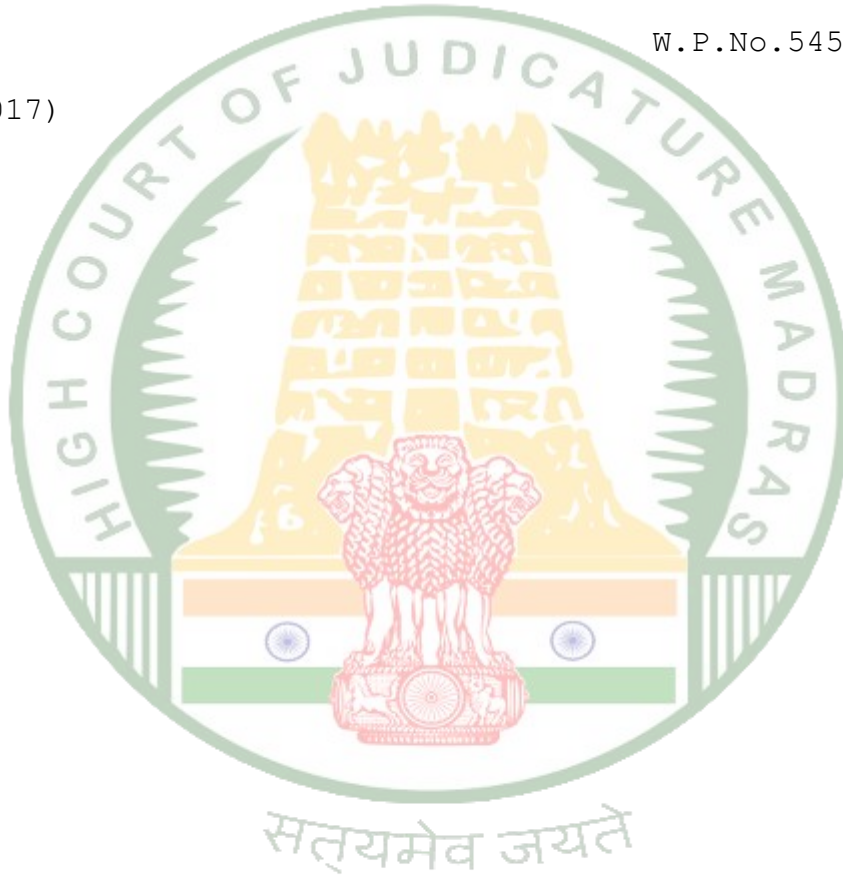
3. The Joint Director,
Department of Agriculture,
Nagercoil, Kanyakumari District.

+1cc to M/s.M.Ramados, sr.13892

+1cc to Government Pleader sr.14475

W.P.No.5450 of 2017

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ss(16/3/2017)



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